



BOARD OF EQUALIZATION & REGULAR CITY COUNCIL MEETING MINUTES

March 08, 2022 - 7:00 PM

City Council Chambers 400 East Military, Fremont NE

BOARD OF EQUALIZATION AGENDA

7:00 PM

MEETING CALLED TO ORDER Following the Pledge of Allegiance, Mayor Spellerberg called the Board of Equalization Meeting to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL Roll call showed Council Members Ellis, Ganem, Yerger, Sookram, Legband, Jensen, Gibson and Vaughan present. 8 members present.

PUBLIC HEARING

1. Hold public hearing and consider complete cost and schedule of Assessments for Business Improvement District #1. Mayor Spellerberg opened the public hearing. Motion made by Yerger, Seconded by Legband to approve exemptions as requested for Single Family. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Yerger, Seconded by Legband to approve as requested for Mixed Use excepting the property 310 E. Military. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Yerger, seconded by Gibson to approve exemption for 310 E. Military at 50%. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Ganem, seconded by Jensen to continue the public hearing to March 29, 2022. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

ADJOURNMENT Motion made by Jensen, seconded by Sookram to adjourn; time: 7:17 P.M. Voting Yea: Yerger, Ellis, Ganem, Sookram, Vaughan, Jensen, Gibson, Legband. Motion carried.

CITY COUNCIL REGULAR MEETING AGENDA

7:00 PM – Following the preceding Meeting

MEETING CALLED TO ORDER Mayor Spellerberg called the Regular Meeting to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL Roll call showed Council Members Ellis, Ganem, Yerger, Sookram, Legband, Jensen, Gibson and Vaughan present. 8 members present.

MAYOR COMMENTS

(There will be no discussion from the Council or the public regarding comments made by the Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)

1. Motion to adopt current agenda for the March 8, 2022 Regular Meeting. Motion made by Gibson, Seconded by Ganem to adopt the agenda for the March 8, 2022 Regular Meeting. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

PUBLIC HEARINGS:

2. Resolution 2022-033 approving the 2021 City of Fremont One Year-Six Year Road Project Program. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Yerger, seconded by Ellis to remove 23rd/Bell/Yager Intersection project from the program. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Yerger Voting Nay: Vaughan. Motion carried. Motion made by Yerger, seconded by Gibson to remove 32nd Street – Yager to Luther Ave project from the program. Voting Yea: Ellis, Gibson, Yerger. Voting Nay: Ganem, Jensen, Legband, Sookram, Vaughan. Motion failed. Motion made by Sookram, Seconded by Ganem to approve Resolution 2022-033 as amended. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Yerger. Motion carried.

CONSENT AGENDA: All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately. Motion made by Jensen, seconded by Sookram to approve consent agenda items 3-6. Voting Yea: Ellis, Ganem, Vaughan, Legband, Sookram, Jensen, Yerger and Gibson. Motion carried.

3. Motion to approve February 23, 2022 through March 8, 2022 claims and authorize checks to be drawn on the proper accounts
4. Receive Report of the Treasury
5. Dispense with and approve February 22, 2022 Regular City Council Meeting Minutes and Special Joint City Council & Planning Commission Meeting Minutes
6. Receive January 2021 animal reports
7. Motion to approve Cement Work/Asphalt/Excavate license application of, Goree Excavating, Hubbell Equipment Rental LLC and United Carpet Cleaning Service. Motion made by Yerger, seconded by Vaughan to approve license application of Goree Excavating, and continue the other applications to receive additional information regarding qualifications. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

8. Resolution 2022-034 to authorize the addition of emergency response layers to the GeoComm Map system. Motion made by Yerger, Seconded by Legband to amend the Now Therefore statement to read: the City Council of the City of Fremont approves of the development of additional mapping layers for HAZMAT, fire hydrants and multi-story structures as an appropriate emergency responder tool and hereby authorizes the Mayor to sign an Agreement with GeoComm for the GeoComm Map system at a cost of \$8,012.00 which will be shared 50/50 with Dodge County. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Jensen, Seconded by Yerger to approve Resolution 2022-034 as amended. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
9. Resolution 2022-035 to authorize the migration of the 911 mapping system to GeoComm Maps. Motion made by Yerger, Seconded by Sookram to amend the Now Therefore statement to read: the City Council of the City of Fremont accepts the multi-year support agreement with GeoComm, Inc. and authorizes the Mayor to execute a contract with GeoComm, Inc. in the amount of \$17,795.00 per year, for five years, to migrate to a cloud-based system and provide support for the dispatch, mobile and 911 mapping software and cloud-based system, the cost of which will be shared 50/50 between the City and the County. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. Motion made by Yerger, seconded by Gibson to approve Resolution 2022-035 as amended. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.

UNFINISHED BUSINESS: Requires individual associated action

10. Ordinance 5607 to change zoning from PD, Planned Development to SC, Suburban Commercial and to remove the property from the Planned Development, on property generally located on the southeast corner of Morningside Road and Lauren Lane (final reading). Motion made by Yerger, seconded by Ellis to receive into the record a document titled "Council Rationale for Retaining PD Zoning. Voting Yea: Ellis, Ganem, Gibson, Legband, Sookram, Vaughan, Yerger Voting Nay: Jensen. Motion carried. Motion made by Yerger, seconded by Ellis to not approve the zoning change and retain the PD. Voting Yea: Ellis, Yerger. Voting Nay: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan. Motion failed. Motion made by Vaughan, Seconded by Legband to hold final reading of Ordinance 5607. Voting Yea: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Ellis, Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Ellis, Yerger. Ordinance 5607 is approved.
11. Ordinance 5606 to annex property generally located on the southeast corner of Morningside Road and Lauren Lane (final reading). Motion made by Yerger, seconded by Ellis to continue the item until the Planning Commission & City Council address applicant concerns and annex the desired 3-acre property in its entirety. Voting Yea: Ellis, Yerger Voting Nay: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan. Motion failed. Motion made by Legband, Seconded by Sookram to hold final reading of Ordinance 5606. Voting Yea: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Ellis, Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan. Voting Nay: Ellis, Yerger. Ordinance 5606 is approved.

12. Resolution 2022-020 to approve Final Plat on property generally located on the southeast corner of Morningside Road and Lauren Lane. Motion made by Vaughan, Seconded by Legband to approve Resolution 2022-020. Voting Yea: Ganem, Gibson, Jensen, Legband, Sookram, Vaughan Voting Nay: Ellis, Yerger. Motion carried.

NEW BUSINESS: Requires individual associated action

13. Motion to authorize Mayor to sign Christensen Field Soccer Complex Fields #1 - #8 Lease Agreement with Fremont Soccer Club (FSC). Motion made by Yerger, Seconded by Ganem to authorize Mayor to sign Christensen Field Soccer Complex Fields #1 - #8 Lease Agreement with Fremont Soccer Club (FSC). Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
14. Resolution 2022-036 to adopt meals policy. Yerger moved to retain \$15 limit for events at the City Building. The motion failed due to lack of a second. Motion made by Gibson, Seconded by Legband to approve resolution 2022-036. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
15. Resolution 2022-037 accepting the recommendation of the Selection Committee for selection of a Construction Manager at Risk for the Keene Memorial Library Expansion Project, adopting the findings, evaluations, and ranking of the Selection Committee, accepting the proposal from MCL Construction, and authorizing City representatives to begin negotiations. Motion made by Yerger, Seconded by Legband to approve Resolution 2022-037. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
16. Ordinance 5609 authorizing the issuance of Series 2022 taxable Combined Utility Revenue Bonds. Consider request to suspend the rules and move to place the ordinance on final reading. Motion made by Yerger, Seconded by Sookram to introduce an hold first reading of Ordinance 5609. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided first reading of the Ordinance. Motion made by Jensen, Seconded by Sookram to suspend the rules and move to final reading of Ordinance 5609. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Ordinance 5609 is approved.
17. Resolution 2022-039 to irrevocably call for redemption certain bonds payable from utility revenues. Motion made by Sookram, Seconded by Yerger to approve Resolution 2022-039. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried.
18. Ordinance 5608 to approve Government Salary Ordinance (consider request to suspend rules and move to final reading). Motion made by Ganem, Seconded by Legband to introduce and hold first reading of Ordinance 5608. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided first reading of Ordinance 5608. Motion made by Jensen, Seconded by Sookram to suspend the rules and move to final reading of Ordinance 5608. Voting Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Motion carried. City Clerk provided final reading of Ordinance 5608. Mayor Spellerberg called final vote on the Ordinance. Voting

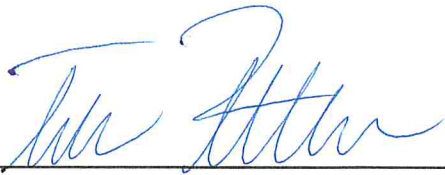
Yea: Ellis, Ganem, Gibson, Jensen, Legband, Sookram, Vaughan, Yerger. Ordinance 5608 is approved.

19. Resolution 2022-038 authorizing the Mayor to sign Contract with FurEver Home, Inc. for animal sheltering services. Motion made by Yerger, Seconded by Legband to amend the agreement to adopt changes recommend by legal counsel and additionally amend for Exhibit E in paragraph 2E. Voting Yea: Ellis, Ganem, Gibson, Legband, Sookram, Vaughan, Yerger Voting Abstaining: Jensen. Motion carried. Council Member Vaughan made a motion to approve Resolution 2022-038 as amended. Council Member Yerger offered an additional amendment to include two whereas statements to the resolution to read: WHEREAS, the City of Fremont and FurEver Homes have agreed to a one-year sheltering and animal control contract extension effective upon date of signing; and WHEREAS, the parties further agree to amend the portions of the contract extension language to add contract provisions for the City to Cover 50% of animal veterinary care up to a maximum of \$5,000 per year and to cover 50% of the cost for sheltering animals that are impounded up to a maximum of \$10,000 per year. The motion to amend was seconded by Ellis. Voting Yea: Ellis, Ganem, Gibson, Legband, Sookram, Vaughan, Yerger Voting Abstaining: Jensen. Motion carried. The original motion to approve Resolution 2022-038 as amended was seconded by Legband. Voting Yea: Ellis, Ganem, Gibson, Legband, Sookram, Vaughan, Yerger Voting Abstaining: Jensen. Motion carried.
20. Executive Session to discuss threatened litigation. Moved by Gibson, seconded by Jensen to go into executive session to discuss threatened litigation and for the further reason that the executive session is necessary for the protection of the public interest and asked for discussion. The Mayor stated that the pending motion was to go into executive session for discussing threatened litigation and for the further reason that the executive session is necessary for the protection of the public interest. Voting Yea: Gibson, Ganem, Sookram, Jensen, Yerger, Ellis, Legband and Vaughan. Motion carried. The Mayor stated that the motion to go into executive session for discussing threatened litigation and for the further reason that the executive session is necessary for the protection of the public interest had been approved. Discussion will be limited to discussing threatened litigation. No official actions or votes will be taken during the executive session. Time in: 11:03 p.m. Moved by Jensen, seconded by Ganem to come out of executive session where no official actions or votes were taken. Voting Yea: Yerger, Ellis, Gibson, Legband, Sookram, Jensen, Ganem, Vaughan. Motion carried. Time out: 11:36 p.m.

ADJOURNMENT Motion made by Legband, seconded by Sookram to adjourn; time: 11:36 P.M. Voting Yea: Yerger, Ellis, Legband, Ganem, Sookram, Vaughan, Jensen, Gibson. Motion carried.

Agenda posted at the Municipal Building on March 2, 2022 and online at www.fremontne.gov. Agenda distributed to the Mayor and City Council on March 2, 2022. This meeting is preceded by publicized notice in the Fremont Tribune on the last Thursday of the preceding month and the agenda, including any notice of study session or public hearing, is displayed in the Municipal Building and is open to the public. The official current copy is available at City Hall, 400 East Military, City Clerk's Office. The City Council reserves the right to go into Executive Session at any time. A copy of the Open Meeting Law is posted in the City Council Chambers for review by the public. The City of Fremont reserves the right to adjust the order of items on the agenda.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA Board of Equalization & Regular City Council Meeting Minutes for March 08, 2022.

A handwritten signature in blue ink, appearing to read "Tyler Ficken".

Tyler Ficken, City Clerk

A handwritten signature in blue ink, appearing to read "Joey Spellerberg".

Joey Spellerberg, Mayor